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Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code sections. The notation “* * *” indicates that all preceding or subsequent text remains unchanged. Renumbering and/or relettering were added as needed.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, SECTION 14.00.06, ENTITLED “PROCEDURES GOVERNING PUBLIC HEARINGS”; AMENDING PROCEDURES FOR CONTINUANCES OF PUBLIC HEARINGS CONTAINED IN SECTION 14.00.06.L., BY ALLOWING A REQUEST FOR A CONTINUANCE TO BE MADE AND ADMINISTRATIVELY GRANTED TEN DAYS IN ADVANCE OF THE SCHEDULED PUBLIC HEARING INSTEAD OF THE FIVE DAYS CURRENTLY PERMITTED; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board desires to establish administrative procedures that are streamlined and appropriate for Lake County; and

WHEREAS, amending LDR Section 14.00.06.L. to require an applicant to request a one-time continuance ten (10) days prior to the scheduled hearing rather than the five (5) days currently required would permit staff additional time to notify the interested public that the hearing will be continued to a future date; and

WHEREAS, the Planning & Zoning Board, in its capacity as the Local Planning Agency, considered this ordinance and recommended approval at a properly advertised public hearing on July 1, 2015; and

WHEREAS, on September 15, 2015, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, as follows:

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Amendment. Lake County Code, Appendix E, Land Development Regulations, Section 14.00.06, entitled “Procedures Governing Public Hearings”, is hereby amended to read as follows (changes are shown utilizing ~~strike through~~ for deletions and underline for additions to existing Code sections. The notation “* * *” indicates that all preceding or subsequent text remains unchanged):

14.00.06 Procedures Governing Public Hearings. The following procedures Shall apply to all boards and committees established by the County, including the Board of County Commissioners:

* * *

L. **Postponement of Application.** An application scheduled for public hearing may be postponed as follows:

1. An applicant may request one (1) continuance of the scheduled public hearing provided such request is filed with the county manager, or designee, at least ~~five (5)~~ten (10) days prior to the scheduled hearing. The county manager or designee may grant the request. The applicant shall be required to pay all additional costs for republication and mailing. All interested parties, including the applicant and noticed property owners shall be given due notice of the delay and of the new hearing date and time.
2. The board may continue a public hearing when it is deemed necessary to acquire additional information, public testimony, or time in order to render a determination. It is the intent of the board that continuances be limited to no more than one (1) so as to not unduly inconvenience the public. However, the board may grant additional continuances for good cause based on extenuating circumstances.

Section 3. Severability. If any section, sentence, clause or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. Inclusion in the Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section”, “article” or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Filing with the Department of State. The clerk shall be and is hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 6. Effective Date. This Ordinance shall become effective as provided for by law.

Enacted this _____ day of _____, 2015.

Filed with the Secretary of State _____, 2015.

**BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA**

Jimmy Conner, Chairman

This _____ day of _____, 2015.

ATTEST:

Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

Approved as to form and legality:

Sanford A. Minkoff
County Attorney